

NOV 13 2006

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10031076-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ashish Tandon et al.

Serial No.: 10/786,800

Examiner: Menz, Douglas M.

Filing Date: February 25, 2004

Group Art Unit: 2891

Title: Strain Compensating Structure To Reduce Oxide-Induced Defects In Semiconductor Devices

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, July 11, 2006, rejecting the following claims 1-9

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input checked="" type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

The extension fee has already been filled in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: OR

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: November 13, 2006

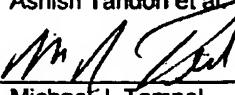
Typed Name: Michael J. Tempel

Signature: 

Respectfully submitted,

Ashish Tandon et al

By

Michael J. Tempel
Attorney/Agent for Applicant(s)

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Date: November 13, 2006

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11/16/2006 EFLORES 00000002 501078 10786800

01 FC:1401 500.00 DA

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DATE November 13, 2006

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FROM Michael J. Tempel *MD*

REFERENCE NO. 10/786,800

OUR FAX NUMBER 770-804-0900

NUMBER OF PAGES 2

**Notice of Appeal in Application No. 10/786,800
 (Strain Compensating Structure to Reduce Oxide-Induced Defects in
 Semiconductor Devices)**

Filed: February 25, 2004
 Inventor(s): Ashish Tandon et al.
 Examiner: Menz, Douglas M.
 Art Unit: 2891
 Conf. No. 3337
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